

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

NICHOLAS MAYO, et al.,

Plaintiffs,

v.

SPECIALTY CONTRACTORS
NORTHWEST LLC d/b/a PACIFIC BATH
COMPANY,

Defendant.

CASE NO. 22-CV-00640-LK

ORDER REMANDING CASE

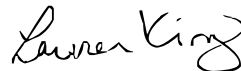
This matter comes before the Court on Defendant Specialty Contractors Northwest LLC's failure to respond to this Court's Order to Show Cause why this case should not be remanded for lack of subject matter jurisdiction. Dkt. No. 16. Specialty Contractors removed this action pursuant to 28 U.S.C. §§ 1332, 1441, and 1446(a), Dkt. No. 1 at 1, but failed to sufficiently allege diversity jurisdiction. Specifically, as a Limited Liability Company asserting jurisdiction on the basis of diversity, Specialty Contractors was required to identify all of its constituent members. *See Big Run Power Producers, LLC v. Venture Eng'g & Constr., Inc.*, No. 20-CV-09246-SK, 2021 WL 4497876, at *2 (N.D. Cal. Jan. 27, 2021) ("The law is well established in the Ninth Circuit that a

1 removing party bears the burden of establishing diversity jurisdiction, including by demonstrating
 2 the full membership of LLCs.”) (collecting cases); LCR 7.1 (nongovernmental parties must
 3 disclose “any member or owner in a[n] . . . LLC”). This it did not do. *See* Dkt. No. 16 at 2–3; Dkt.
 4 No. 1 at 2.

5 Pursuant to its “independent obligation to determine whether subject-matter jurisdiction
 6 exists,” *Arbaugh v. Y&H Corp.*, 546 U.S. 500, 514 (2006), the Court ordered Specialty Contractors
 7 to respond to the Order no later than February 2, 2023 “naming—and identifying the citizenship
 8 of—every individual or entity whose citizenship is attributed to it,” Dkt. No. 16 at 3. The Court
 9 indicated that failure to do so would result in remand. *Id.* To date, Specialty Contractors has not
 10 filed a response. The Court accordingly ORDERS that:

- 11 1. Pursuant to 28 U.S.C. § 1447(c), this case is REMANDED to the Superior Court for King
 12 County in the State of Washington;
- 13 2. The Clerk of the Court shall mail a certified copy of this Order to the Clerk of the Court
 14 for the Superior Court for King County;
- 15 3. The Clerk of the Court shall also transmit the record herein to the Clerk of the Court for
 16 the Superior Court for King County; and
- 17 4. The Clerk of the Court shall CLOSE this case.

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 19 Dated this 9th day of February, 2023.

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21 Lauren King
 22 United States District Judge
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